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May 11, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Pruitt:

As you continue your review and evaluation of recently implemented regulations, we write to bring your attention in particular to the final rule for Formaldehyde Emissions Standards for Composite Wood Products. We appreciate your delaying the effective date for this rule until May 22, 2017 as you conduct this review, but believe that the rule as it stands would nevertheless severely disrupt the operations of the composite wood products supply chain.

While the effective date of this rule has been delayed until May 22, 2017, the subsequent December 12, 2017 implementation date remains the same, significantly shortening the timeline for third-party certifiers, panel manufacturers, fabricators, importers, distributors, and retailers to all come into compliance. We urge the EPA to not only adjust any required compliance dates established under this rule to at least reflect the time periods allowed under the original final rule, but also provide an additional 12 month extension to ensure there is sufficient supply of certified composite wood products throughout the supply chain.

The regulation also apparently prohibits new Toxic Substances Control Act (TSCA)-compliant product labeling at any time prior to December 12, 2017, but then requires the new TSCA-compliant labeling on and after December 12, 2017. This is the wrong interpretation of Congressional intent. Instead, the statutory language rightly provides that entities should not be forced to label their products prior to the required compliance date, but in no way prevents entities that do comply with the new regulations from appropriately labeling their compliant products prior to that date. The EPA's interpretation would create significant inventory and supply chain disruptions for entities attempting to voluntarily comply with the new regulation prior to the implementation date. In order to minimize this impact, we urge you to allow for the voluntary labeling of compliant products prior to the date on which compliance will be required.

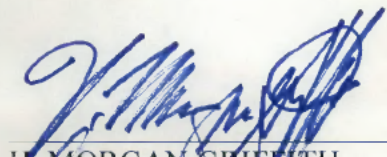
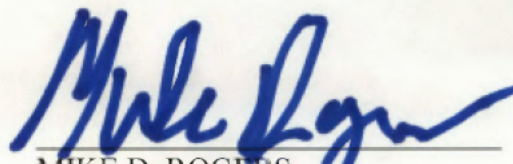
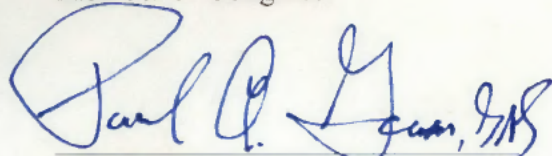
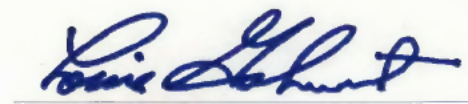
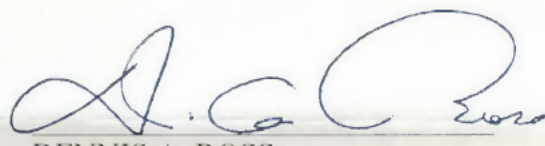

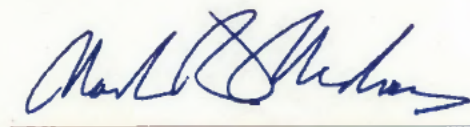
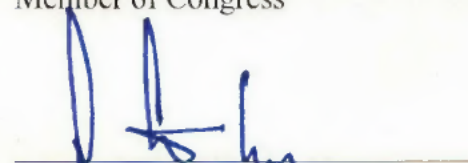
Additionally, Congress gave EPA authority to exempt laminated products from the definition of "hardwood plywood". We believe there is sufficient industry and technical data to warrant such an exemption. As currently written, the final rule would impose substantial, unwarranted new costs on the supply chain, with little or no corresponding benefit. The application of a wood face veneer over a certified and compliant composite wood product platform should not be subject to

additional testing. This is a reasonable and safe approach to regulating the industry that relies on engineered wood products and satisfies the intent of Congress while maintaining the integrity of the rule. We respectfully request that EPA exercise its authority and exclude laminated products, produced as component parts of finished goods, from the definition of "hardwood plywood".

Finally, we have concerns regarding the precedent that the EPA is setting by, for the first time, applying the import certification requirements of TSCA to composite wood products as "articles". This would be on top of and duplicative of newly established labeling, testing, certification, recordkeeping, and reporting requirements. It is our understanding that until this rule, these import certification requirements have only been applied to bulk chemicals and mixtures of toxic chemicals, and not to articles that merely contain regulated chemicals. We urge you to thoroughly review this import certification requirement – and whether any affirmative findings merit this requirement – before applying it to composite wood products.

We appreciate your review of this regulation and look forward to your response on what actions you plan to take to address these concerns.

Sincerely,


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